

E-filed 2/5/07

1 ROBERT J. YORIO (SBN 93178)
ryorio@carrferrell.com
2 COLBY B. SPRINGER (SBN 214868)
cspringer@carrferrell.com
3 CHRISTINE S. WATSON (SBN 218006)
cwatson@carrferrell.com
4 CARR & FERRELL *LLP*
2200 Geng Road
5 Palo Alto, California 94303
Telephone: (650) 812-3400
6 Facsimile: (650) 812-3444
7 Attorneys for Plaintiff and Counter-Defendant
8 ACTICON TECHNOLOGIES LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE DIVISION)
11

12 ACTICON TECHNOLOGIES LLC,

13 Plaintiff,

14 v.

15 PRETEC ELECTRONICS CORP., a California
16 corporation; C-ONE TECHNOLOGY
CORPORATION, a foreign corporation; CNET
17 TECHNOLOGY CORP., a California
corporation; CNET TECHNOLOGY, INC., a
18 foreign corporation; and MACE GROUP, INC.,
d/b/a MACALLY PERIPHERALS, INC., a
19 California corporation, and MARGI SYSTEMS,
INC., a California corporation,

20 Defendants.
21

22 AND RELATED COUNTERCLAIMS.
23

CASE NO. C 06 4679 JF (HRL)

**STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL OF
DEFENDANT MARGI SYSTEMS, INC.**

24 Plaintiff and Counter-Defendant ACTICON TECHNOLOGIES LLC and Defendant and
25 Counter-Claimant MARGI SYSTEMS, INC. ("Margi") hereby stipulate to a dismissal with
26 prejudice of the Complaint, with respect to Defendant MARGI only, and the MARGI Counterclaim,
27 pursuant to the provisions of Fed. R. Civ. P. 41(a)(2). The parties further agree to bear their own
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attorneys' fees and costs of suit incurred herein.

IT IS SO STIPULATED.

Dated: January 31, 2007

CARR & FERRELL *LLP*

By: /s/ Christine S. Watson

ROBERT J. YORIO

COLBY B. SPRINGER

CHRISTINE S. WATSON

Attorneys for Plaintiff and Counter-Defendant
ACTICON TECHNOLOGIES LLC

Dated: January 31, 2007

BRINKS HOFER GILSON & LIONEE

By: /s/ Janet Pioli

JANET PIOLI

Attorneys for Defendant and Counter-Claimant
MARGI SYSTEMS, INC.

ORDER

Based on the parties' stipulation and for good cause shown, the Complaint is dismissed with prejudice against Defendant MARGI SYSTEMS, INC. and the Counterclaim of MARGI SYSTEMS, INC. is dismissed in its entirety. The parties are to bear their own attorneys' fees and costs of suit incurred herein.

IT IS SO ORDERED.

Dated: 2/5, 2007

By: 

HON. JEREMY FOGEL

UNITED STATES DISTRICT JUDGE